

**REMARKS**

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

Claim 38 has been amended to correct the inconsistency note by the Examiner, accordingly, it is respectfully submitted that the 35 USC §112, second paragraph rejection has been overcome and should be withdrawn.

The Restriction Requirement discussed at numbered paragraphs 1-3 of the Office Action is traversed on the ground that the Examiner has stated that “a special technical feature” of the invention “does not offer contribution over the prior art” and discusses Mercuri (US 2003/0000640). Applicants respectfully disagree.

Claims 1, 2, 39, 40 and 44-46 stand rejected under 35 USC §102(b) as being anticipated by Turpin et al. (WO 02/091506). This rejection is respectfully traversed.

It is well established that in order to anticipate, the reference must show each and every feature of the claimed invention. Turpin does not.

As the Examiner admits in numbered paragraph 8, Turpin discloses sealing *flow field* plates together using a plurality of protrusions (sealing ridges 7, 8, 9) that can be welded together.

In contrast, the claimed invention seals a *coolant plate* to an adjacent plate (another coolant plate or a flow field plate) at mating regions that fit into complementary regions and are welded together.

A flow field plate *is not a coolant plate*, and accordingly, the flow field plate of Turpin *is not* the claimed coolant plate of the invention. Turpin seals two *flow field plates* together. Turpin does not even have a discussion of cooling plates. In the Office Action, the Examiner does not address this lack of a claimed feature.

It is respectfully submitted that the rejection should be withdrawn.

Claims 3, 4 and 27-31 stand rejected under 35 USC §103(a) as being unpatentable over Turpin in view of Burke and Marianowski. This rejection is respectfully traversed.

The remarks above regarding Turpin are equally pertinent in response to this rejection, and are incorporated herein by reference.

No reasoning is given why one of ordinary skill in the art would change the flow field plate of Turpin to be a coolant plate, and Burke and/or Marianowski provide no such disclosure or suggestion.

It is respectfully submitted that the rejection should be withdrawn.

Claims 32-36 stand rejected under 35 USC §103(a) as being unpatentable over Turpin in view of Ledjeff and Scherer. This rejection is respectfully traversed.

The remarks above regarding Turpin are equally pertinent in response to this rejection, and are incorporated herein by reference.

No reasoning is given why one of ordinary skill in the art would change the flow field plate of Turpin to be a coolant plate, and Ledjeff and/or Scherer provide no such disclosure or suggestion.

It is respectfully submitted that the rejection should be withdrawn.

Claim 37 stands rejected under 35 USC §103(a) as being unpatentable over Turpin in view of Yamada. This rejection is respectfully traversed.

The remarks above regarding Turpin are equally pertinent in response to this rejection, and are incorporated herein by reference.

No reasoning is given why one of ordinary skill in the art would change the flow field plate of Turpin to be a coolant plate, and Yamada provides no such disclosure or suggestion.

It is respectfully submitted that the rejection should be withdrawn.

Claims 41-43 stand rejected under 35 USC §103(a) as being unpatentable over Turpin in view of Davis. This rejection is respectfully traversed.

The remarks above regarding Turpin are equally pertinent in response to this rejection, and are incorporated herein by reference.

No reasoning is given why one of ordinary skill in the art would change the flow field plate of Turpin to be a coolant plate, and Davis provides no such disclosure or suggestion.

It is respectfully submitted that the rejection should be withdrawn.

It is respectfully submitted that the rejections have been overcome, and the application is in condition for allowance. Such allowance is earnestly solicited.

Respectfully submitted,

/Brian C. Jones/

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Dated: November 9, 2009